

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

KENNETH GARY MURPHY, JR.,
Petitioner

v.

BARRY SMITH, et al.,
Respondents

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No. 1:20-cv-1232

(Judge Kane)

ORDER

AND NOW, on this 30th day of April, 2021, in accordance with the Memorandum issued concurrently with this Order, **IT IS ORDERED THAT:**

1. Petitioner's petition for writ of habeas corpus (Doc. No. 1) is **DISMISSED WITHOUT PREJUDICE** as untimely;
2. A certificate of appealability shall not issue; and
3. The Clerk of Court is directed to **CLOSE** the above-captioned case.

s/ Yvette Kane
Yvette Kane, District Judge
United States District Court
Middle District of Pennsylvania